

NEWINGTON TOWN PLAN AND ZONING COMMISSION

June 10, 2009

Regular Meeting

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Casasanta
Commissioner Ganley
Chairman Hall
Commissioner Kornichuk
Commissioner Pane
Commissioner Pruett
Commissioner Schatz
Commissioner Aieta
Commissioner Camerota
Commissioner Lenares

Commissioners Absent

Staff Present

Ed Meehan, Town Planner

II. PUBLIC HEARINGS

A. PETITION 16-09 – Hunter Development Company, P.O. Box 336 East Long Meadow, MA 01028, Attention Michael Frisbie applicant, HDC One, LLC owner, request for amendment Section 5.2.5 Special Exception B-BT Zone District.

Chairman Hall: Ed, do you have some update on this petition?

Ed Meehan: Yes, for the record, Mr. Frisbie principal in Hunter Development contacted me this afternoon and asked if the Commission would postpone the hearing. His attorney was not available for this evenings meeting, and he would like to go forward when his attorney can be present with him. The Commission already has the staff report at your places at the table, and I shared this with Mr. Frisbie already. Just request that you take this home and read it and be ready to discuss it or ask questions at the public hearing. I did let Mr. Frisbie know that the next meeting, your meeting on June 24th had been set aside to spend a good block of time on the town Plan of Conservation and Development so in my e-mail to him I didn't say that definitely that you are going to have the hearing on the 24th. You have thirty-five days to keep this hearing open, by state statute, so it's basically open tonight because it was advertised so you could keep this hearing open through July 8th, within that thirty-five day time limit. If on July 8th you felt you needed additional time, you would have to ask Hunter Development to grant you another two weeks to get you into the second meeting in July. So the time lines worked out and I just look for your direction on how you want to do this. You want to do it on the 24th, or you want to hold it over to the 8th? It's up to the Commission, you can let me know now or when we talk about

Petitions for Scheduling. I do need to get back to him so he can allow his attorney enough time to set his schedule.

Chairman Hall: Okay, we'll think about that and we will talk about for scheduling at the end of the meeting.

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speaker limited to two minutes.)

None.

IV. MINUTES

Commissioner Pruitt moved to accept the minutes of the May 27, 2009 Regular Meeting. The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

Ed Meehan: The only thing I had, I don't see Val Ginn here, Val was going to be here representing the Downtown Business Association, she may not realize that the public hearing was postponed since she was probably coming a little bit later. I don't know if you want me to brief you on what she was going to talk about or do it further on.

Chairman Hall: Yeah, we could because nine, although I hate to have her sit through all this, but I mean that is what unfortunately, why don't you give a brief overview?

Ed Meehan: Val Ginn is a member of the Economic Development Commission. She has been very instrumental in creating and getting going the Downtown Business Association and she and some other members of that group have been endeavoring to have a Farmer's Market in the town center, and last week they were able to work with Webster Bank and have a small area in back of Webster Bank set aside a couple of days a month to do a Farmer's Market and so she wanted to be here tonight to let the Commission know that, talk about the schedule and the time. At this point I think she only has two farmers, so it's not a very big operation but as more of a courtesy to the Commission to let people know what is going on. If this does evolve into a major event, say they move to another location, move to the municipal parking lot or, at one time they were talking about trying to do it at the FoodMart parking lot, then the Downtown Business Association would need to get a town event permit from the Commission. She has more details than I have but that is basically what she was going to tell you I think.

Chairman Hall: Okay, and hopefully she will be here for the second public participation.

VI. NEW BUSINESS

A. Tilcon Connecticut - Balf Quarry, 2009 to 2011 Statement of Operations and Site Plan, represented by Mr. Frank T. Lane, Director of Real Estate & Environmental Compliance, 1 Forest Road, North Branford, CT 06471.

Frank Lane: Good evening, for the record my name is Frank Lane, I'm the Director of Real Estate and Environmental Compliance for Tilcon and Balf. I see the map is already on the wall. I have a couple of colors on mine, but I'm here tonight for our two year administrative site plan review. The plan is unremarkable, there have been few changes. This is the quarry area, it's very much at its limits. It's going down in depth. There is a large stockpile here, when that is

removed, we can bring the face in this direction. This area is a large storm water detention basin, another storm water detention basin, and a third large one here. We collect all the storm water from the site that is processed through these storm water detention basins, before it leaves the site. There have been no changes other than the demolition of several buildings which are gone from these plans, some of the old Capitol Pipe buildings were demolished. Beyond that, it's business, albeit fairly slow at the moment, as usual. To help you get oriented, the only part that you see from the street is our office building is right here, and then the large long garage, so you're coming down Hartford Avenue just by this part here. This is the large noise barrier that runs all along Mountain Road. I'd be pleased to answer any questions that you might have about our activities or operations.

Ed Meehan: This is an unremarkable change from the prior two years. I think the Commission members might be interested Frank, I think, the elevation sea level 23 if I read the topo right, and you are going down maybe forty feet would you say?

Frank Lane: Well, we're down now, the spot elevations are down to, well here is the lowest spot, 23.5.

Ed Meehan: So you have a ramp system down.....

Frank Lane: Yes, this is the new ramp that comes around. You used to enter the quarry through the center, we've been mining that away, the new entrance ramp is coming around here. Essentially this is elevation 95 up here so.....

Ed Meehan: It's pretty deep.

Frank Lane: It's about sixty, seventy feet deep.

Ed Meehan: Is the storm water pumped out of there into those basins, or how does that happen?

Frank Lane: The water that collects in here isn't considered storm water. It's considered processed water because we have to mechanically handle it with a pump. So that is covered under NPTES discharge permit with the DEP. The others are covered by the storm water general permit, discharge of storm water from industrial operations.

Commissioner Ganley: My question is then, where does the water go once you have collected it, where does it go to?

Frank Lane: When it finally leaves the site it goes through the sedimentation basins and then it...

Commissioner Ganley: No, specifically the water that is coming out there?

Frank Lane: It's pumped and it's piped in the system that goes into this large basin there. A lot of it is reused on site for dust control, for the water sprays and the water truck that we operate.

Commissioner Pruet: What is the life expectancy of a quarry, operational wise?

Frank Lane: The depth of the basalt here is very significant, it's a long life expectancy.

Chairman Hall: Other questions?

Commissioner Schatz: What is long life?

Frank Lane: A lot depends on that, but I would suspect another forty years.

Commissioner Schatz: What do you think the depth would be then?

Frank Lane: I would just be making a wild guess, and it would be meaningless.

Commissioner Schatz: That's deep. We don't have any mining regulations?

Ed Meehan: This is all grandfathered. This whole issue goes back to '91 when there was a agreement.....

Commissioner Schatz; You aren't going deep in, you are going down.

Frank Lane: We're going down.

Chairman Hall: Any other questions?

Frank Lane: Basalt is a lava flow, that came out of the Holyoke fault. The earth split open from Holyoke Massachusetts to Long Island Sound in Branford and this lava which is a magma from the center of the earth flowed out. It didn't erupt like a volcano, but it flowed out very slowly, sort of like chocolate pudding, in layers and hardened and that's why there is so much engineering specification on basalt for construction because it is the same where ever you find it, if it's in the Palisades on the Hudson River, or if it is anywhere along this Holyoke fault, because it comes from the same source, the magma in the center of the earth, and that is why there is such a large body of engineering specifications around igneous basalt, or trap rock.

Commissioner Ganley: I hope you don't hit the magma.

Frank Lane: We'll got to the underlying sandstone before we hit the magma.

Chairman Hall: And is the Balf Quarry Committee still in operation?

Ed Meehan: I don't think so.

Chairman Hall: I haven't heard any complaints or long term issues.

Ed Meehan: I don't think they have operated for the last three or four years or maybe longer.

Chairman Hall: Any other questions? Thank you for your time.

Frank Lane: Thank you.

B. PETITION 17-09 – 3440 Berlin Turnpike, former Circuit City Store, request for temporary tent sale use within parking lot for fireworks per Connecticut Statutes, June 18th to July 5th, contact Melissa Goduti, 9 Cooper Avenue, Wallingford, CT 06492. Request for decision 6-10-09.

Chairman Hall: Is the petitioner here?

Ed Meehan: I don't see her.

Chairman Hall: They wanted a decision tonight, too. They knew it was seven, not seven-thirty?

Ed Meehan: They get a copy of the agenda.

Commissioner Ganley: I have a very general question. When contact was made by you, or someone in your office to get this on the agenda was there any communication of any type of what they meant, more specifically by.....

Ed Meehan: Yeah, they provided us with a site drawing, showing the tent location. They provided us with a copy of their lease with the real estate agency who operates the Circuit City Stores, they provided us with a certification on the tent as far as what the Fire Marshal is going to need, and the Building Inspector for flame retardant, and the design of the tent shows where they are going to put their sign on the tent, so this application is, and they gave us the dates, they are on the agenda, and it's a temporary use, but because it's a tent use which needs special permitting from the Building Department and Fire Marshal, that's why they are on the agenda. A few years back they used to operate in front of Wal-Mart.

Chairman Hall: Are you Melissa? Come to the podium, state your name and address for the record. We have read the petition, so that we know, and now you are going to explain to us why you are here.

Melissa Goduti: My name is Melissa Goduti, my address is 9 Cooper Avenue, Wallingford, CT. I am here to, I don't know if you went over that we were in Wal-Mart, I did hear that when I was coming in, we were in the Wal-Mart parking lot for the last several years, we never had an issue there. TNT Fireworks, I don't know if everyone is familiar with us, but we are the largest consumer fireworks distributor on the east coast. We work primarily with non-profit groups, who actually run the tent to make money. This year there are actually a lot more family groups who are out of work who are running the tents, but that is not a bad thing. I'm looking to put a 30 x 50 tent in the Circuit City parking lot on the Berlin Turnpike that is vacant and it will be vacant when we open there. I've attached the application and also the map that I'm assuming that everyone has looked over of where the place is. We will work with all of the town's different sections, work with the Fire Marshal, meet his needs just as we have in the past at Wal-Mart. We will have signs posted, meet the state requirements, we'll have fire extinguishers, and where I put the tent is just to be out of the traffic. That is why it is in the middle of the lane, because they are still going to be a vacant property, they don't have any leads on renting it. I am open to suggestions, if anyone wants to move it to another place, if you see a better fit, there's a lot of room in that parking lot, so, and we will be the only person there, hopefully. Any other suggestions that anyone has, we pretty much meet anything, any requests that you have. Does any one have any questions?

Chairman Hall: Ed, do you have any comments?

Ed Meehan: No, the only thing that I would mention is that this is going to be subject to Building Inspector and Fire Marshal sign off. Is there any electrical connection to the tent, any lighting?

Melissa Goduti: They run a generator which we need an electrical permit for.

Ed Meehan: Okay. Where do you store the fireworks....

Melissa Goduti: There is twenty-four hour security.

Ed Meehan: Are they left under the tent, or are they in a container.....

Melissa Goduti: They are left under the tent and there is someone there that will be watching them so no one can take them.

Ed Meehan: How do you do your signage? I know that the tent has some signs on it. Are you going to do anything with the Circuit City pylons, advertise on that or banner, or take advantage of that?

Melissa Goduti: I didn't even think about that because usually the places that we are in, for example like Wal-Mart, they have their signs already there, and we've never been in a huge vacant parking lot before. If we are allowed to, then I can probably place a banner over it, but I hadn't really thought about that.

Ed Meehan: Well, that could be an option that you may want to consider, putting a banner over both sides of that pylon sign rather than plastering little signs up and down the highway. That would be preferable, and I think you would get more attention that way, that sign is probably eighteen feet high. That is the only comment that I have.

Chairman Hall: Questions from the Commissioners?

Commissioner Aieta: What are the hours of operation?

Melissa Goduti: Hours of operation, nine to nine and on the weekends, it's nine to ten.

Commissioner Pane: I think the location of the tent is a little too close to the Friendly's because the Friendly's uses some of that parking area there. I think that if it is moved south a little bit, it would be a little bit better off. You might have problems with some of the parking at Friendly's. Thank you.

Chairman Hall: Is this pretty much to scale, that number of parking spaces that it would take?

Melissa Goduti: Yes. It's 30 x 50 so it would be I think ten.....

Commissioner Ganley: Just a procedural thing I guess, if the request for decision is this evening, there would have to be an awful lot of stipulations put into a motion in order to make this take place tonight. There are permits that you are going to apply for, things that you are going to do to set this up....

Melissa Goduti: If this is approved tonight, I will be in the Building Office tomorrow, I already have checks cut and everything to get the Building Permits for the tent like we always have, and the Fire Marshal inspection as soon as I know that we can move in, I can schedule that.

Ed Meehan: There are some logistics, this is the first stop in the process.

Commissioner Ganley: So in theory we can approve this this evening with a variety of stipulations as they relate to you getting the proper permits, etc.

Melissa Goduti: I will be getting all proper permits as we have in the past at the Wal-Mart, we went through the same process except this was not obviously one of them because there was a principal use on that property.

Commissioner Ganley: The difference is, you have come before us on prior occasions, but we had the permits in hand, so to speak.

Melissa Goduti: Well, I was told that I couldn't get the building permit for the tent until I actually had approval here.

Commissioner Pane: This is not abnormal. This is the same process.

Chairman Hall: Yeah, they have been at Wal-Mart the past couple of years and I don't remember that there were any problems with that.

Ed Meehan: No there weren't. The only thing I heard was some issues with signage popping up here and there, but other than that there weren't any operational issues.

Chairman Hall: Okay. Any other questions from anyone?

Commissioner Schatz: I think Commissioner Pane had a good idea on close by because some of the Friendly overflow comes into that area here.

Chairman Hall: And there is still plenty of room to move it almost anywhere.

Commissioner Schatz: Would that be a problem?

Melissa Goduti: No, that's fine, there's just so much room, we just put it right there.

Chairman Hall: Okay, any other questions? Thank you very much.

VII OLD BUSINESS

A. PETITION 10-09 – 768 North Mountain Road, Carlos V. Susaya owner and applicant, 26 Montrose Street, Hartford, CT 06106, request for Site Plan Development to construct 1,600 sq. ft. structure, I Industrial Zone District. Inland Wetlands Commission report received. Continued from May 27, 2009.

Commissioner Pane moved that PETITION 10-09 – 768 North Mountain Road, Carlos V. Susaya owner and applicant, 26 Montrose Street, Hartford, CT 06106 request for Site Plan Development to construct 1,600 sq. ft. structure, I Industrial Zone District be postponed to June 24, 2009.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: And they are not here, right?

Ed Meehan: No, I don't see Carlos here.

Chairman Hall: We have this postponed until June 24, 2009.

Ed Meehan: I can tell you that I met with Mr. Susaya today. He received a letter subsequent to the last meeting where there were four or five comments relative to his site plan that he is having his site engineer work on. Had to do with the correct orientation of the building, the referencing to the building as far as if it was wood, and one story versus two stories. He has some technical zoning issues with improper side yard set back on one side, and along the front of the building which he is going to work on. We met with him and the Town Engineer today because we had to work out a drainage issue for his roof leaders which he has taken care of, so he said, by the next meeting he will have everything squared away for the Commission to look at.

Commissioner Pane: I have a question. What is the name of the business that this is for? The property right next door, 768 and 769, that's Brickman Landscaping.

Ed Meehan: He's in a vacant lot in between those two, has a lot of yard storage on it. It used to be a parking lot for one of those buildings.

Commissioner Pane: Yeah, it looks like it goes with the building, 769, okay, and it's fenced in, and it's a disgusting mess. And I wanted to know if it was part of the Brickman Landscaping Company and that whole site there is a mess.

Ed Meehan: It's a separate, legal conforming lot. I want to say, he's owned it for five or six years and over time it has gotten, accumulated with construction materials, there have been zoning citations for outside storage, there have been issues with the wetlands in back there on the far east side, so we have been after him and trying to work with him for the past couple of years to try to get a building on there and get the storage placed on the property, behind the building and this is his effort to address those concerns.

Commissioner Pane: All right. I would just like to state for the record that after visiting the site that I think it is going to need a little bit more than a building. Also, there are a lot of buildings over in that area, most of them are brick fronts, so I think that, I don't think that a wood structure would be appropriate. I also would like to know whether or not there are going to be bathroom facilities in here, electricity.

Ed Meehan: Full service.

Commissioner Pane: A full service building, okay. I would be concerned with the architectural and the landscaping and making sure that there was minimal storage in the front, or no storage in the front, because there is multiple landscaping contractors in that area, and they keep their buildings in pristine condition and I don't think it would be fair to them as business owners if this person got away with a messy yard there. Thank you very much.

The vote was unanimously in favor of the motion with seven voting YES.

B. PETITION 14-09 – 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O'Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District. Inland Wetland Commission report required. Sixty-five day decision period ends July 17, 2009.

Commissioner Casasanta moved that PETITION 14-09 – 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O'Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District. Inland Wetland Commission report required, be postponed to June 24, 2009.

The motion was seconded by Commissioner Ganley.

Chairman Hall: Ed?

Ed Meehan: This is up for a vote before the Conservation Commission at their meeting next week. When that vote is taken, then TPZ can act on this application with their report in mind.

The vote was unanimously in favor of the motion, with seven voting YES.

Commissioner Pane recused himself from PETITION 15-09 and Commissioner Lenares was seated in his place.

C. PETITION 15-09 – 123 Costello Road, Costello Industries, Inc. applicant and owner, Attention John Costello, 123 Costello Road, Newington, CT 06111, request for site plan modification and buffer waiver Section 6.10.5 (c) for reduction of 100' building setback from residential zone boundary, Section 3.19.4, PD Zone District. Sixty five day decision period ends July 31, 2009.

Commissioner Pruett moved that PETITION 15-09 – 123 Costello Road, Costello Industries, Inc. applicant and owner, Attention John Costello, 123 Costello Road, Newington, CT 06111, request for site plan modification and buffer waiver Section 6.10.5 (c) for reduction of 100' building setback from residential zone boundary, Section 3.18.4, PD Zone District, be approved based on the site plan entitled "Costello Industries, Inc. #123 Costello Road" Sheet 1 of 1, scale 1"=40', dated 4-22-2009 prepared by BGI Land Surveyors.

This approval is for the construction of a 3,750 sq. ft. building addition at the south end of the building. This addition shall be constructed with the two overhead doors facing west and with only a pass door entry on the south side.

The Commission finds that reduction of the 100' buffer to adjacent residential zone to not less than 50' is appropriate because the servicing and storage of large off-road equipment will be done inside the new addition reducing disturbance to adjacent residential uses.

As set forth in Section 3.18.4 Buffer – The yard area between the south side of the new addition and the existing stockade fence shall not be used for the storage of raw materials, outside storage or as a maintenance area.

Note: Pursuant to Section 6.10.5 (c) the waiver of the 100' buffer will require a two-thirds vote of the Commission members present.

The motion was seconded by Commission Kornichuk.

Chairman Hall: Ed?

Ed Meehan: I think this motion reflects what I heard the Commission discuss with the applicant and the reason for trying to tie this down, referencing the orientation of the doors, I believe is important because the doors facing westerly I believe is a benefit because that is the issue of the noise comes from now, the doors face due south into the adjacent residential area so by turning the building east/west I think that will help mitigate some of the concerns as well as making this usable for year round operations. Now some of the off-season work is done out in the yard.

Chairman Hall: Other comments, questions?

Commissioner Aieta: Ed, on the portion that is staying as the 50' buffer, maybe it would be a good idea to have some kind of plantings or something in there because they are coming in asking for a reduction of the 100 foot buffer because they have been using the 100 foot buffer illegally for years as a maintenance shop. They shouldn't have been doing anything in that buffer at any time. So we are trying to clean up a bad situation, I can understand that, by decreasing the buffer, but in the future, if they get busy and maybe they have more equipment and they start using the 50 foot buffer as an outside maintenance area. So maybe there should be some, grassed area or, I'm not saying for the guy to spend a million dollars trying to fix up the buffer

area, but he's used the buffer, the 100 foot buffer and he's put millings down there, so he could make it as part of his operation which was illegal, for all of these years.

Ed Meehan: A good portion of what is left is naturally landscaped now. There is a slope down to the adjacent condo property. I think from the back of this new addition to the stockade fence there is probably an area of between twenty to twenty-five feet, which now is paved. It used to be where they turned their equipment, if they left it outside or they went into the south side of the building. It's a fair suggestion, it's up to now how the Commission wants to treat it. I referenced Section 3.18.4 because I had the thought that in that area they shouldn't be stockpiling materials and parking extra vehicles and things like that. You could tighten it up further by having them remove the bituminous that is in there and apply additional landscaping.

Commissioner Aieta: The area that, I went to the condos and walked to the back, and at this time of the year you can't see the operation.

Chairman Hall: Yeah, it's not bad.

Commissioner Aieta: But I don't know what happens in the winter, because most of the trees are not.....

Ed Meehan: Off season, the only thing you have to provide shelter is the difference in grade and the fence. Other than that, if you were there in February, you'd be looking into the back side of their building. So, I can pull the maps out, I have the maps.

Commissioner Aieta: Is there anyway we can put some evergreens closer to the fence so that they grow up so that the people don't have to look at the building. I mean, the whole idea and the whole purpose of the buffer zone is to protect the residents and you know, we are cutting down what is in our regulations, the 100 foot, and we're cutting it to 50, they've been using it, the 100 foot buffer illegally for years, we're making a bad situation better, but still, you have to protect the people who live in the condos. I mean, they are over looking where the new building is going to be.

Ed Meehan: I know that four or five years ago they came before the Commission, Costello came before the Commission and there was a berm system on the westerly side of the site put up, in addition to repairing fencing, I think the berm is between six to eight feet with evergreen plantings.

Commissioner Aieta: That is the west side.

Ed Meehan: That is the west side, that's lower than this corner, so I'm not sure a berm would work here, but a row of evergreens, if they removed some of the blacktop and provided a planting area, a row of evergreens would provide year screening. That's one option.

Commissioner Aieta: The elevation from the condos to his property is different, they are higher than this property. I don't know the difference in elevation, how many feet, but they are definitely higher and it slopes down to Costello's piece.

Ed Meehan: Yeah, they are probably eighteen to twenty feet above.

Commissioner Aieta: I don't know where you would put evergreen's so they became a substantial.....

Ed Meehan: Well, I would put them on Costello's piece, right at the fence line or they could cut a section of bituminous out, six to eight feet of bituminous and put a row of evergreens adjacent to

the existing fence and natural landscaping that is there, just supplement it. They would still have some room against the south side of the building for a sidewalk pathway to the pass door. They need an emergency exit out of there, so you have to have that out there, and that would reduce the area between the south end of the building and the existing stockade fence. Instead of being maybe twenty, twenty-five feet, it may be down to fifteen feet. It's a good suggestion, it's up to the Commission.

Commissioner Aieta: I went there and I know that at this time of the year it doesn't look too bad but those trees that are there are not winter trees.

Commissioner Kornichuk: If I'm understanding you Frank, you just want block this off so they don't continually use it, isn't that.....

Commissioner Aieta: That is one of the objections that I have because they are into the whole hundred foot buffer area, they're using the whole thing now, I mean, they have been using it for years. That's the protection between the industrial zone and the residential zone is that buffer. I thought a buffer would be more substantial than just a clear piece of land that they, over time have paved. It should have been planted and, you know, a real buffer, trees, fences.

Commissioner Kornichuk: Sounds good to me.

Commissioner Ganley: I have scribbled some language, maybe you can help me out here. What I wrote down, this is on the last paragraph, the one, two, three, fourth paragraph, okay, and it starts, we will start with the word, shall not, shall not be used for the storage of raw materials, vehicles, outside storage or as a maintenance area. Then further, the remaining distance between the south side of the building be landscaped pursuant to direction of the Town Planner or his designate.

Commissioner Kornichuk: This will keep them from being able to use it.

Chairman Hall: And also to give some green space in there. After October they are going to be able to see, especially from the second floor of those condos. As it is now, they can see the roof line of what exists, it's going to be fifty feet closer.

Commissioner Aieta: It's unfortunate that under this type of a proposal they weren't notified, so they are going to you know, when they start building that building, I bet they will be in here asking a lot of questions. People don't know what is on this agenda. But those are the rules that we follow, unfortunately.

Chairman Hall: I think I'm getting a consensus around the table that you would like something like that.

Commissioner Ganley: Clean that up just a bit, it was just a thought that I put down.

Commissioner Casasanta: Do we have to make a motion to amend the motion?

Commissioner Ganley: Well, just that section. Paragraph four.

Chairman Hall: Additional wording, and then we will have him read it. Who was the maker? David, so you have no objection to amending? Who was the seconder?

Commissioner Kornichuk: I was and I have no objection.

Chairman Hall: Give it down to David to read. You did it verbatim from Tom's?

Ed Meehan: No, but I'll have it in the minutes.

Commissioner Pruett: You want me to read the amendment? Okay, as set forth in Section 3.18.4 Buffer – the yard area between the south side of the new addition and the existing stockade fence shall not be used for the storage of raw materials, vehicles, outside storage or as a maintenance area. Further, the remaining distance between the south side of the building be landscaped pursuant to the direction of the Town Planner or his designate.

Commissioner Kornichuk: Second again.

Chairman Hall: Any other discussion.

The vote was unanimously in favor of the motion, with seven voting YES.

Commissioner Pane returned to the table.

VIII. PETITIONS FOR SCHEDULING (TPZ June 24, 2009 and July 8, 2009.)

- A. Draft 2020 Plan of Conservation and Development for review and completion June 24, 2009.

Ed Meehan: Need your input, guidance on how you want to set up your meeting for June 24th. You could leave Hunter's application for public hearing open and push that to the 8th, or you could have it heard on the 24th. The other items that you have on the 24th would be just to look at the site plan for North Mountain Road and wrap up the site plan for Off-Site Gas systems on Budney, and then you could dedicate the evening to the Plan of Conservation and Development. There is one other item for public hearing that is not on the agenda because it came in after the agenda was posted for the religious use up on North Mountain Road. They had petitioned last fall for a change to permit residences as part of the church facility, and they are now back with a plan for that to come before you, so that needs a public hearing. That could be done July 8th. So, that's how much you want to do for your work load on the 24th.

Chairman Hall: Well, I know that I had requested that we spend as much time as possible on the Plan of Development. It's unfortunate that he wasn't ready for tonight, because we had expected that he would be and we could have given as much time as possible.

Commissioner Ganley: I agree with your sentiments, with a short agenda, we could very well have squeezed him in, and on the 24th, with what we have got, I don't want Michelle to throw a shoe at me, but attorneys tend to be somewhat long winded, so as to earn their fee, so I would go along with July 8th,

Chairman Hall: Any other comments, feelings, anyone have feelings one way or the other?

Commissioner Casasanta: Just for everybody's education, I will be on vacation July 8th. I won't be able to attend that meeting. I don't want that, however that plays.....

Chairman Hall: But you will be here on the 24th?

Commissioner Casasanta: I will be here on the 24th.

Commissioner Kornichuk: I won't be here either.

Chairman Hall: On the 8th?

Commissioner Kornichuk: I'll be on vacation.

Commissioner Pruet: So will I.

Commissioner Aieta: David and I will be here.

Chairman Hall: Michelle?

Commissioner Camerota: I'll be here.

Chairman Hall: So we will have a full table then.

Commissioner Pane: I have a question. On June 24th, you wanted, when are you trying to set the public hearing for this Plan?

Ed Meehan: Mid to late September.

Commissioner Pane: Okay, because I've got some stuff that I can do this meeting, if we have time, and then it just doesn't seem like we are going to have everything settled on it on June 24th, so hopefully we can leave some time the following meeting, the July meeting toward some follow-up.

Chairman Hall: To do some follow-up, exactly. That is why I wanted to dedicate almost the whole night to it. Have people be reading it for the past two times, maybe discuss it a little bit tonight and then do a full boat discussion next time and then follow up on the 8th.

Ed Meehan: Yeah, this is not the last time you will be seeing this, obviously. I just want to be sure that you are comfortable putting it out for public hearing, and then you will have three months almost.

Commissioner Pane: It's a little slow going, because I'm trying to take, trying to figure out what information you have taken out of the old plan and what we have put in the new plan and so I have to go back and forth because on the new plan, nothing was designated, that's why.

Ed Meehan: It's a completely different format.

Commissioner Pane: I understand, but a lot of it was reused for this, and then there was some new stuff put in, and it's just trying to figure out what was left in and what was taken out. Thank you.

Chairman Hall: All right, then I think the sentiment is that we are going to leave the 24th as light as possible in order to do the Plan, so anything else will be put to July 8th, we should have enough members to sit around the table to listen.

Commissioner Camerota: Just while we are on this, I don't want to forget, on the Hunter Development petition, I don't have that e-mail attached to my packet, the 2009 e-mail.

Ed Meehan: From Mr. Frisbie?

Commissioner Camerota: Yeah, I looked a couple of times.

Ed Meehan: May 27th?

Chairman Hall: No, June 5th.

Commissioner Camerota: It is referenced in the first page of your memo, on June 5th, Michael Friesbie e-mailed a letter describing the changes to amend.....

Ed Meehan: Oh, see that letter attached, it's dated May 27th, but he didn't e-mail until June 5th.

Commissioner Camerota: Oh, okay, that makes more sense to me. Okay.

Chairman Hall: Any other questions? So the 24th is pretty much being taken care of and the 8th you will be working on other things.

IX. PUBLIC PARTICIPATION
(For items not listed on agenda)

Val Ginn, 15 Golf Street: I am very happy to report that Newington is finally getting a Farmers Market. It's starting June 25th, every Thursday from 3:00 to 6:00 p.m. and then starting the 27th of June every Saturday from 9:00 to 2:00 and the location is going to be right behind, actually it is going to be at the western parking lot, that grassy area which is behind French's Travel, and I have taken care of all the insurance questions that they had, the liability, I've talked to Nancy Breault, we're all set with that. I've contacted the media, they are all aware of it, and I'm doing an interview with Newington Life the end of this month, and the flyers are all going out. So, we have a very interesting, two farmers, Cirella Farmers, they are out of Plainville, and they are going to sell various fruits and vegetables, flowers, flower baskets, eggs, honey and pies. That is Thursday. Saturday, we are going to have Botichello Farms from Manchester who are going to be selling again, vegetables, herbs, honey, potatoes, jelly, jam and again, a variety of different things. Again, this is an introduction for the residents, I think we're in great need, especially, my heart went out to the elderly, and that is why we have been pushing for this. Needless to say, we are going to have the flyers say sponsored by the Newington Downtown Business Association, so I encourage you, one and all, to come, and if you have any questions for me I'd be happy to answer them.

Commissioner Pane: Was there a main reason why you didn't decide to start it off right in the municipal parking lot?

Val Ginn: Because, we met with the executive Downtown Business Association and our first idea was to have the Lowry Place parking lot, but because of, I did talk to Mr. Hershner, I did talk to him, gave me full permission for the parking lot, so I sat down with the executive board and we went back and forth and said, you know what, no, let's try this little area and see how it takes off. We may even be there temporarily for now, but right now this is just a testing point for all of us.

Commissioner Pane: Who did you have to get permission from?

Val Ginn: The owner of the parking lot.

Commissioner Pane: No, the municipal parking lot.

Val Ginn: No, no we don't want that.

Commissioner Pane: Why wouldn't you want the municipal parking lot?

Val Ginn: No, no, we just feel that we wanted to start in a small area for now. I know that there are going to be some pavement issues coming up, right?

Ed Meehan: Well, hopefully we will have the project started this fall.

Val Ginn: Yeah, so we said, no. So right now, this is why we are going to start small. It's nice, we have a tree, if it's sunny out it will be shady for the farmers and people shopping.

Commissioner Aieta: How big of an area, Val? How big is it back there?

Val Ginn: I don't even know how many square feet that is, but let's put it this way, it's large enough to hold a couple of farmers.

Ed Meehan: It's small, probably seven or eight thousand square feet at the most. It's the back way out of Webster Bank.

Commissioner Pane: The parking is....

Val Ginn: We have permission from Connecticut Karate to use their parking lot, but I think most of the people are going to park on Market Square anyway once the word is out. Any other questions?

Ed Meehan: I just want to clarify, you mentioned two names that the Commission members may not recognize, Nancy Brault is Central Connecticut Health District, for the food permits, and then Hershner, Kurt Hershner is one of the principals in the Lowry Place/Food Mart Plaza who I know Val and other people in town have tried to work with that organization to use the parking lot or to find out where they are marketing it. So that didn't work out at that location, so that is who Hershner is.

Chairman Hall: Any other questions?

Commissioner Aieta: They are very successful in West Hartford. They have one on.....

Val Ginn: Yes, they are but this is why I think I shocked them. If you go to West Hartford, they can charge you one hundred dollars for a ten by ten. I'm not charging anything. It's come one, come all. Again, it's an introduction to Newington, I think Newington is falling a little behind on certain things, so we need to get on board.

Commissioner Lenares: This is just a vague comment. I think the Farmer's Market in addition to what you have done with the businesses, Newington is Open for Business breakfast, with the Economic Development Commission, I think it's being widely noticed within the town that, the business owners like it, the people are going to like it, I think it's just a really, really good thing for the town and we appreciate the efforts that you go through to get these things done.

Val Ginn: Thank you, thank you, again I love Newington, and I want what is best for Newington, and aside from that we also have a lot besides the Waterfall Festival, and Cruising Newington which unfortunately is being cancelled tomorrow due to the rain, it will be June 18th, but as I said, come and support the Farmer's Market. If the word gets out that it is a very successful event, they are going to be knocking down our doors, so we'll keep our fingers crossed.

Chairman Hall: The key is participation of the residents, too.

Val Ginn: Well, I did hit up the Senior Center, believe me I have hit everybody. I worked very hard to get the Farmer's Market, I have been talking to a lot of farmers in the past month and a half, and it is surprising that I even got two, because a lot of them are very short handed, and some of them are already booked. But again, this is the baby steps, I have a positive attitude that it is going to be a big hit, and we'll take it very there. Thank you.

Chairman Hall: Thank you.

Commissioner Ganley: Just an observation, if I may. Just to show you how well you have succeeded, remember Frank Zuraski, when he was president of the Kiwanis, he tried to get a Farmer's Market up at the old drive-in site. That's how far back this guy was trying to get one in town and we even went to the Eddy Family, we thought they were in the Farmer's Guild and could help us, absolutely could not come together. It was just incredible. They had this nice flea market, we thought in the spring we would do the bulbs and the plantings and so on, and then in the fall would do vegetables. Just could not get the thing going.

Chairman Hall: Because they don't want to come out on Sunday.

Commissioner Ganley: No, they, whatever the reason.....

Chairman Hall: They don't want to come out on Sunday.

Val Ginn: Well, I'm going to tell you, this is going to be one from June to October, and you are right Tom, I did talk to the Eddy family and you're right, it was like pulling teeth, so I decided to do it on my own, but it's well worth it, believe me. I want to thank Ed for a lot of his input and support. Thank you.

Chairman Hall: Good luck.
I'd like a motion to move Petition 17-09 to Old Business.

Commissioner Ganley moved to add Petition 17-09 to Old Business. The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Any discussion on this, this is the TNT Fireworks Tent Sale. Anybody have any more discussion on this?

Commissioner Aieta: Maybe you should, if you are going to approve this, set the new location of the tent, pretty much tell her where it should be.

Commissioner Kornichuk: Now is it 30 x 50 or 30 x 60?

Chairman Hall: 30 x 50 is what she said.

Commissioner Kornichuk: Yeah, but it says 30 x 60 in the motion.

Ed Meehan: I got 60 off of the plan. It looks like a 60.

Melissa Goduti: It is 60.

Chairman Hall: Okay, so maybe under two, the tent to be positioned closer to the Circuit City....

Ed Meehan: Yeah, moved south towards the center part of the parking lot maybe five or six spaces which would be what, forty-five, fifty feet?

Chairman Hall: Right, actually we'll put it under 3 because that has more to do with the tent size and where it would be located.

Ed Meehan: I think if we moved it five or six spaces.

Commissioner Pane: There are about twenty spaces, so if, have it so that there are at least ten spaces between the tent and spaces, so there is ten on each side. That way they can park, customers can park on that side or customers can park on the other side.

Ed Meehan: The mid-point of the parking lot.

Chairman Hall: Or move a minimum of ten spaces south from the Friendly's building.

**Petition 17-09
3440 Berlin Turnpike
Former Circuit City Store
"TNT Fireworks Tent Sale"**

Commissioner Ganley moved that Petition 17-09 – 3440 Berlin Turnpike, former Circuit City Store, request for temporary tent sale use within parking lot for fireworks per Connecticut Statutes, June 18th to July 5th, contact Melissa Goduit, 9 Cooper Avenue, Wallingford, CT 06492 be approved based on the following:

1. Sale and storage of fireworks as approved by the Newington Fire Marshal.
2. Tent erection and electrical utility connections as approved by the Newington Building Inspector.
3. Tent size limited to 30' by 60' as shown on the plan layout presented to the Commission, move approximately ten parking spaces south from Friendly's parking area.
4. Temporary promotional signage shall not be placed off site or in the Berlin Turnpike right of way. All temporary signage shall be promptly removed at the conclusion of the sale, July 5, 2009.

The motion was seconded by Commissioner Pruett.

Commissioner Pane: I wonder if we should just clarify the signage that the only sign they can use is banners on the existing directory pole.

Chairman Hall: Temporary signage shall consist of banners attached to tent and shall be promptly removed at the conclusion of the sale, July 5, 2009.

Ed Meehan: Well, they can also use the pylon.

Commissioner Pane: The pylon, that's the one that I was talking about. So that there are no A-frames signs in the right of way like you were saying.

Ed Meehan: You could say, temporary promotional signage shall not be placed off site or in the Berlin Turnpike right of way, signage may be placed on the pylon and on the tent, temporary signage may be placed on the pylon and on the tent.

Chairman Hall: And, all temporary signage shall be promptly removed at the conclusion of the sale.

Does the maker approve of the amendment? And the seconder? So we are going to vote on the amended petition.

The vote was unanimously in favor of the motion, with seven voting YES on the amended petition.

X. REMARKS BY COMMISSIONERS

A. Draft 2020 Plan of Conservation and Development discussion.

Chairman Hall: Let's go to the Draft 2020, anybody have some comments this week, or observations that you want to talk about?

Commissioner Pane: On page 13, the zoning map, I'd like to make some corrections on that. Down on Church Street and Church Terrace, the corner of Church and Church Terrace, that lot there you have listed as an R-7, is an R-20.

Ed Meehan: That's where you live.

Commissioner Pane: Yeah.

Commissioner Casasanta: That's why he kind of noticed that.

Commissioner Pane: And the second lot behind that lot is supposed to be an R-12 and not an R-7.

Ed Meehan: It goes R-20, R-12 and R-7

Commissioner Pane: It goes R-20, R-12, then R-7, R-7, R-7, and then the last one over on the far side goes to R-12. So it goes, across the street, would be an R-20 then an R-12, then three R-7's, then R-12 and then my lot is an R-20.

Ed Meehan: Okay.

Commissioner Pane: I think, on page 24, where it talks about protecting residential neighborhoods, I think that more emphasis should be put on improving the buffer systems between residential and commercial property or between residential and industrial property. For instance, like the Day Street area, and other areas, the industrial areas, some of those, as they get redeveloped the, more emphasis should be put on improving the buffer system. On page 34, I'm concerned with number thirteen, consider higher density multi-unit housing, ten to twenty units per acre when and where it might be appropriate, specializing in incentive housing for the elderly. I've got to wonder whether or not we want a higher density. Just a question to throw out to the Commission, whether or not we really want that, and whether or not we want an incentive for somebody to produce these higher density housing. I would think that we would want, because our town is already almost fully developed, I would think that we would want lower density, but that is just something to throw out for Commissioners to think about.

Ed Meehan: That's an important policy issue, for you folks as policy makers both for higher density, multi family whether it's age restricted or not, we already have twenty units per acre for age restricted, but if you continue that thought, you go down, look under sixteen, that's why we culled it out. There are new statutory opportunities for what is called housing incentive zones.

In a community like Newington, under the statutes, that has full utility services, water, sewer, we don't really get any bonuses or credits from the Office of Policy and Management unless the density is at least twenty units per acre. So in working on this, rather than, be very selective to where we put this in here right now. It's really closely tied in concept to transit oriented areas, and perhaps the easterly side of the town center for mixed use development on Hartford Hospital piece.

Commissioner Pane: I can understand the transit maybe, but I don't know. I'm concerned about it, and it is, it would be a big impact. One of the other things that goes in with that, would be on page 51, an overview of the future land use. I'm concerned with the land on the ridge line, the extra land that Balf has, the property that is up on Cedar Mountain, and I'm wondering if whether or not, and there might be a few other areas, I'm wondering whether or not, and I've mentioned this before, we should create a new zone, a low density zone, like an R-40 or something, or an R-50 where you have to have forty thousand square feet, so they are one acre lots, so now what you are doing is you are creating a lower density, less impact, on all of the town services, less impact on the roads, less traffic, I think it might be something that we should look into, something for the Commission to think about. It would be something greater, you know, a step up from your R-20 zone.

The only other comment that I have right now would be on page 38, it talks about home based businesses. I would just, I think it's nice and there are some businesses that have very low impact on the residential zone and everything, but I think that we should be very careful about this. It can create problems, and I don't know whether or not we should be encouraging it, but we should keep an eye on it, I don't know whether or not we should encourage it. At this time, that's all I have, but I'll have more at the next meeting. Thank you very much.

Commissioner Ganley: Dom, I can't recall specifically, but I'm sure it will come to me, we in fact approved, in a residential area a small business, I don't remember if it was a bakery or what the heck it was, but.....

Ed Meehan: It was up off of Elton or Farmstead, where the fellow was going to do home catering.

Commissioner Ganley: Yes.

Ed Meehan: And he actually put it in.....

Commissioner Ganley: In his garage and we had the public in here, we had a full public hearing on the thing, surprisingly we didn't get flack from the, we did approve the thing, but I don't recall getting any flack from the neighbors. But you are right, it would have to be done on a case by case basis but that's one of the instances where in fact we did have to address that.

Commissioner Aieta: That's beyond what the traditional home business usually is. It usually is a doctor's office, an accountant, I run my business out of my home, have for forty years, since I've moved into town, there's no signs, there's no employees or anything. I have a little office in my home, computer, fax machine and a desk. That's traditionally what the business, I mean, a catering business or bakery, that's really pushing it. I don't know how far you could push that. It specifically states in the regulations that barbers and hair salons and nail salons are not permitted as a home business, it specifically says that in the regulations now. We restrict already some businesses in the home so I don't know how far you could go with that.

Ed Meehan: That catering business did generate a lot of public hearing comments, because there were issues of traffic, issues of noise, smells, could be great smells, and then I think when it was all done and over with, there were, to set up a commercial kitchen the way the gentleman

wanted to do it was just, couldn't do it under the building code. That's probably why it never materialized. There were a lot of conditions tagged to that.

Commissioner Pane: The Commission approved it?

Ed Meehan: The Commission approved the Special Exception with numerous conditions.

Commissioner Pane: What compelled them to approve it?

Ed Meehan: They felt comfortable with, the neighbors in the end approved, but it had a lot of attachments that safeguarded it. It never happened.

Commissioner Pruet: I have some comments, one major one I want to discuss is on page 30, the building heights. In the past we reduced it from ten stories down to four stories, I think with the development of the center I think we really have to take a good look at that, you know, how high we want to go, do we want to go three, four or five stories on Constance Leigh Drive, or on Cedar Street. It's something I think we need to take a close look at.

Chairman Hall: Others?

Commissioner Schatz: In our vision statement, we say, protect the ridge line. Is that building houses on it? I'm torn between two different things here, our vision is to protect it and the wetlands and so on and so forth, but then do we build something on it to protect it?

Ed Meehan: This is a policy decision and policy guidelines. If you look at the map there is a very broad outline of an area, it's called hillside area. You see it says resolve desirable zoning in his area, over on page 39, the business development plan. It's on all of these, pretty much on all of these future land use maps. It goes all the way up to the Balf Quarry, from the Lowe piece all the way up to the Hartford town line. It's very broad, and I think the policy guidance that needs to come from this table is how do you want to tighten that up? You know, you could look at this, you could compare this to your environmental character map and say, we're going to restrict any development on slopes over fifteen to twenty percent. It usually doesn't make sense to build on slopes like that. Or, you could say, we just want everything on the Russell Road side for a distance of three hundred feet, so you don't do anything on the westerly ridge side, or you could say, we don't want anything up there. This is a critical piece because the mass of the piece up there, twenty eight acres, sixty acres, a hundred twenty, hundred third acres, Cedarcrest Hospital. The big purple chunk here is Balf Quarry. And you have definite open space at the north end with Cedar Hill Cemetery, so you know that is going to stay open space. There are some strong economic, environment policy decisions on this side of town.

Commissioner Aieta: I think at some point this Commission is going to have to bite the bullet and decide what you really want on that ridge, I mean, there have been people that came to the Commission, not this particular group, but this Planning and Zoning Commission over the last ten or fifteen years that have come in with various plans and they've shot down housing, apartments, office park, hotels, I mean, I think this Commission has to decide what they want on those pieces and make it a policy decision saying, this is what we are looking for. It would give some guidance to the people who come in. I mean, we've shot down everything, I don't know how you could even entertain someone coming in with housing because we shot that down, two or three times. I mean, I think we really have to look at that, because it's a huge piece, it's probably the biggest piece we have left, right Ed?

Ed Meehan: Yeah, the combined pieces of Balf and Marcap Development, which is formerly Connecticut Children's Medical Center is almost ninety acres there.

Commissioner Aieta: Yeah and you don't want anything to be seen on the ridge from the west looking east and you could do that, but we have to decide what we want on that piece of property and some guidance to the public or the property owners because right now people are saying, what the heck do we do there because they shot down everything that ever came.

Chairman Hall: That's why this plan is so important, because this is a ten year plan. Any of us who have sat on this board know that the attorneys come in with this in hand, and whatever petition they want, they'll refer to something in this Plan to get it through. We have to be very, very careful that when we set this out as the guidance that it's not going to come back to bite us in the future.

Commissioner Schatz: The only other thing I was going to mention, do you think in this plan overall we should have a, some kind of guidelines for mining.

Commissioner Pane: I think there is something in our regulations.

Ed Meehan: Well, this, in the plan, well, you could under your environmental characteristics but specific controls and design standards and safeguards are more appropriate in the zoning versus the Plan of Development.

Commissioner Schatz: If Commissioner Pane was up at the Cape and he was moving sand, they can only go about ten or twelve feet deep, that's it.

Ed Meehan: That is being controlled by zoning regulations, this is more of your policy document, vision document.

Commissioner Schatz: But if somebody came in, say in this area here, they would know that at the end of the road, it wasn't going to be fifty-seven feet like it was last time, with all the hundreds of trucks coming out.

Ed Meehan: Well, that goes back to what Frank and Domenic were saying about the ridge line, what is the policy direction that you want to take? If you say that you don't want any development on the ridge line, that includes mining, then I think the Town has to be willing to step, maybe with a checkbook, to buy this property. You can't be compiscatory. You've got to give them some reasonable use of the property.

Commissioner Schatz: Well, I think the Balf property, just off the top of my head, could be purchased very easily. Because if I was sitting on the Council and I think if Commissioner Pane was sitting there, we would cut a deal with Balf on taxes, and pay it off over a number of years that way.

Ed Meehan: Well, the last time we had a discussion with Castle Rock, now Tilcon, was to try to buy the westerly twenty-eight acres. There's a ravine where the real ridge line is, and the folks at Balf, and we worked very closely with Bob Gilligan, I think a good friend of Newington, and he works for Balf, we couldn't get anywhere with them.

Commissioner Schatz: At this point we don't know, it would be nice to own that seeing that it backs up to Cedarcrest and if Cedarcrest empties out, that's a development opportunity for the town.

Ed Meehan: Yeah, and you have to decide what you are protecting the ridge line for. If it's aesthetic and view lines, then there is a certain area that you need to protect. If it's because of

the slope limitations, that's another legitimate reason to protect it. If there's, if you just don't want development, you shouldn't really be putting that in a public document.

Commissioner Pane: Just to clarify, the reason I mentioned housing in a new zone, maybe an R-40 is because it is extremely low density. It's very low impact on the land, you'd build the houses in and you could still preserve a lot of the open space, and that is the only reason that I mentioned it. I don't know if it is the right thing to do, but I think it's something that we should discuss with that piece, the Balf piece and maybe a few other ones.

Chairman Hall: There is one on Fenn Road that might eventually come up, between King Arthur's Way and Route 9.

Commissioner Aieta: Is that the Marshall piece?

Ed Meehan: Yeah, the map that isn't in here, we just had this map updated, would go on page 27, it's call the Opportunities Map. I have a colored copy here. It's been around for a while, we just, over the last six months we have updated it. It's a thirty-five acre site that may have possibilities for an office park facing Route 9 frontage. It's a fairly rough piece of property because of its terrain, but if you do low density office park, you could have a park that has immediate access to Route 9 and the interchange, not generate traffic into nearby residential, because they have direct access to the interstates, and have a tax generator in an area now which is zoned industrial and I think some of the industrial in that part of town is probably obsolete as zoning. It doesn't really meet the market conditions or the location conditions of that side of town, so that is listed on the Opportunities Map as a potential office park. We don't have any tracts that size any more in Newington. They are really few and far between.

Commissioner Aieta: Bob brought up a good point when he talks about mining because to develop a great portion of the pieces of property on the ridge line, you are just going to be blasting and mining there. You have to remove material to develop those sites, so when he says mining, don't laugh, there is going to be mining up on that hill. There are going to be trucks moving material off of the mountain.

Commissioner Pane: That's why with what I suggest, there would be a lot less activity, because you would build your road into the existing grade and then you build the houses into the grade. They would be spread out so far that they wouldn't have to touch, they wouldn't have to do a lot of blasting, and it would be very low impact to the ridge line I think. I think it's something that we should look at, as a matter of fact, I would even take, think we would want to take a site visit up there possibly.

Commissioner Ganley: I gave you six pages in writing of my thoughts, they are in the package and I only have one additional comment. My thought was to marry the zoning regs to the Town Plan in this particular fashion. I used the town center as just an example, the preface to each of the sections is called general goals, it's in that very light mint color. Underneath general goal, you would then put down the applicable regulations such as, it says Town Center General Goals and then, see Zoning Regulations pages 20 to 26, Section 3.12 to 3.13 inclusive. That is exactly how you get to do the plan, and then you go through the Plan and under Goals just put what regs are applicable to that particular section, and then Ed suggested doing the same thing with the regs. Take the regs and then underneath the preface put, see pages such and such in the Town Plan. That would marry the two documents, easy for us to follow the thing back and forth.

Chairman Hall: And developers as well.

Commissioner Ganley: And developers as well. It would tell them what we want and how we want to do it.

Commissioner Pruet: I had some notes and I'll say just one more note. One of the strategies that I would like to see looked at is that realignment of Alumni and Maple Hill. I think that is a key factor in developing, one, less traffic flow on Cedar Street which is about 39,000 cars per day and two, help develop that commerce park along Alumni Road. I think we dropped the ball on that one.

Commissioner Casasanta: You mean straighten the road out?

Commissioner Pruet: Yes, straighten the road out.

Chairman Hall: Right, angle it the way they had planned it. That was ten years ago now.

Commissioner Pruet: I don't know if the state would even talk to us about it, but.....

Chairman Hall: Well, they may because there are new people at the state too. That's the one good thing about time is that people change sometimes, too.
The only thing that I am going to say is that as you go through this book, be very, very aware of the beginning where it talks about the vision statement because anything that is in that vision statement will be carried out into the rest of the Plan. So if there are things in this vision statement that you don't want, then you don't put it in the vision statement because once it is there, then you have to follow up with a plan for it. For instance, some of the things that I highlighted that are in here that are very important; the wetlands and Cedar Mountain Ridge Line, right away we've already talked about that. Higher density development may be considered where transit services and opportunities for mixed use are compatible with adjacent land use and infrastructure, that is the second paragraph. Then at the end, Newington will use it's location within the capitol region as an asset to encourage new development in the reuse of older sites to promote transit oriented development within the busway and commuter rail corridors. So, we set the stage for that, in the vision, if that is something that we want to continue, and then on page 3, Authority for the Plan, the second bullet, consideration for the need for affordable housing. Now when we get into that section that talks about affordable housing it was quite good in the explanation that Newington traditionally has had affordable housing because of our housing mix but again, if we put it here, are you encouraging that and if you are, how are you encouraging it? So the beginning of this report is key. So spend a lot of time on that, take some notes and then come back next time with how you want to follow up, what you might want to follow with, what you want to delete. I thought this was a very good plan. It is very easy to follow and I think it's structured well in the sense that it's in compartments, but one also leads to the next so, it's a good document I think, but needs tweaking. We are going to have our stamp on it, so whatever this is, remember it's another ten years, so we have to get it right.

Commissioner Schatz: The only thing I got, I looked at the people of Newington and I sort of was intrigued with this. They are saying that basically we are going to get older. I'm trying to figure out how they came out, how did they arrive at that? I have no idea how they would do that.

Ed Meehan: The aging part? These are census and Department of Office of Policy Management projections. They do, every couple of years they do updates, based on birth and death rates and migration rates.

Commissioner Schatz: They are saying that we are going to have a lot of old people, but I think with the taxes, they will probably all go to Florida or Texas.

Ed Meehan: Well, West Hartford went through this about ten years ago. West Hartford went through a real, like a bell curve of an older population and when that population began to dwindle, newer households, younger households replaced them and so, if the housing is reasonable and affordable and still well maintained you will attract households coming back to your community.

Commissioner Schatz: Well, I figure when we do that again, I would like to make some comments on where we are with it.

Chairman Hall: All right, I think we have an idea. This was a good discussion tonight, it was not meant to be the entire discussion, so on the 24th, you can see, we do need to spend a lot of time on this.

A. Newington Board of Education – Newington High School Internally illuminated digital announcement sign, 605 Willard Avenue.

Ed Meehan: Again, this goes back to the administrative policy that Town Manager Paul Featherston initiated, I think it was 2002, 2003. There was a discussion, Lou Jachimowicz from the Board of Ed facilities about the opportunity to do a digital sign in front of the high school as a class gift. It opens up a lot of questions of who is exempt and who isn't exempt. It opens up the issue of is this going to be something that could put the town in the position of being on an uneven playing field with the private sector. It also solves problems at the high school in the sense that they have multiple A-frames up and down Willard Avenue and it gives the school the opportunity to announce things beyond just sports events which is important to the community, in an organized way. So I think what the Town Manager is looking for is any input you have that was shared with the Commission before it became an administrative policy by Mr. Featherston and then became the basis of our town wide hierarchy of signs which are basically the blue and gold carved signs that they have a presence at the gateways and town parks and so forth. What the high school presented was an attempt to follow that template of a colonial top and a brick base, but with a very modern sign face, digitally operated. So the Town is exempt from zoning, that could be a rationale if someone says how could we do it on the highway, we're exempt from zoning. I don't feel comfortable with that, it's like saying well, we're not going build our parking lots and do our drainage and landscaping because we're exempt from zoning. It's difficult to say. So, looking for your input.

Commissioner Pruet: I think how you can support that too Ed is the fact that it's not a business. We're not promoting businesses, coke for, three for nine dollars, it's a public sign, used for public school or government, civic organizations, so, it's not for capitalism so to speak, it's not there to make a buck, it's there to promote the town.

Commissioner Pane: St. Mary's has a nice changeable sign just south of the high school. It's a little bit different, it's what we have allowed in the past. It's, you physically have to go out there and change the letters. All I have to say is, this could open up a big can of worms. We basically, McDonald's wanted one, Friendly's wanted one, Pub 99 wanted one, I'm sure there are numerous gas stations. The Commission has to really think about this. I think that what the Commission did for Walgreen's was improper, I don't think it complies with the regulations. I can see that they have left it on now, the message, it looks like they are keeping it on all day, whether or not they turn it off at night, but even with the rationale that the Commission back then, after reading it, all the minutes, it still never complied with our regulations and the way that they were written. It's existing, we probably have to live with that, but we've, as a Commission I think we have to think hard whether or not we want to open this up. Thank you.

Commissioner Aieta: You are going to get inundated, every gas station is going to come in with a digital type sign like this because they are already installing them on the Berlin Turnpike In

Wethersfield at the gas station across from Carmen Anthony's. They are installing it, they were installing it yesterday. It's a sign, a digital sign that gives you how much the gas is, and they are installing them now and if they are installing them, they are going to be coming to Newington looking for it, so either we're going to allow it or we're not going to allow it.

Commissioner Casasanta: After giving it some thought, honestly, I don't have a problem with it. I don't have a problem with what the high school wants to do, nor do I even have a problem with digital signage period. I know there were some comments regarding the Walgreen's and stuff, and you're right Dom, according to the existing regulations that should never have been approved to begin with. But number two, they are not even complying with the spirit of what the Commission allowed back then either, but I view that as a separate issue, I mean, if Walgreen's is not going to be in compliance with what we wanted them to do, that's a separate issue from having digital signage period. I don't have a problem with that, I mean, I look at the digital signage at the fire house over on New Britain Avenue in Rocky Hill, and that's, I don't have a problem with that, I don't have a problem with, I mean, I think digital signs where we have the community signs, like by the CVS and by that little green over there, I know from being the president of a civic organization in town, it would be great for civic organizations to be able to do that type of signage as opposed to what is currently being done now where you are allowed to put up your own sign for a period of time then you have to take it down so that somebody else can go and put up a sign and advertise their event. Where, if we had digital signage we could kind of rotate that every so often so that more than one entity could be advertising on a given day as opposed to, your week is up and now you can't advertise your event ever again. I don't have a problem with them, to be honest with you.

Commissioner Pane: I don't necessarily have a problem with them either, except I think that what the past Commissions were looking at was that they wanted to keep the signage as quaint and as colonial as possible in the Town of Newington and that is why, over the years, that's why this was in our thing, we were getting rid of billboards and making sure that type of signage stayed away and so that we could keep it nice, the colonial signage in the town center and quaint, otherwise, you might as well throw everything out the window and commercialize everything. So I mean, you've got one or the other, keep it nice and quaint, colonial style signage, or commercialize it.

Commissioner Camerota: I think instead of focusing on the digital part of it, you focus on the style. You can still keep the colonial style. I also think that the Rocky Hill sign looks better than, there is one in front of Old Saybrook High School, that's the one where you change out the letters like the St. Mary's sign, I think the digital one looks better. It's low to the ground, and if you are concerned about the town center you could say, they are not allowed in the town center. Controlling the size and the style I think makes more sense than just concentrating on the digital. I mean, unless it is something that is going to be flashing, I think you could regulate that, you don't want something that is going to be flashing or if it's more, there was concern about the orthodontist sign on Willard, something like that that could be disturbing to the neighborhood if it's mixed in with houses.

Commissioner Aieta: You have to remember, if you allow on the Berlin Turnpike, you could have these signs every twenty feet. Regulations are, I mean, I was on this Commission in 1979, '78, '79 and we did the plan in 1970 and we specifically looked at signage regulations. We did a major overall of these regulations during the '70's and the early '80's and we specifically looked at that because we tried to clean up, one of the major things that Commissions did during that time period was making changes along the Berlin Turnpike that you see today. We tried to change signs and different types of development and stuff. If you change the sign regulation at this point, you could be looking at these things every twenty, thirty feet along the Berlin Turnpike. I don't know how you could say that you allow the town to do it, and then people come in, I don't know if it is a fair system, where we just say, well, it's the town and they're exempt from zoning. I don't

know if we can really say that. I mean, the Commission has to take some position, either we are going to allow the town to do it, and allow businesses to do it, or the town can do it and businesses can't do it, but we have to stick with what we say.

Commissioner Ganley: Well the issue before us is really, involves public property right now and that administrative letter addresses just the public issue, which in fact, the town can just plain do it and then direct us, by virtue of another letter or modified letter to say look, anybody else that comes in, they can't have a digital sign.

Commissioner Pane: We've never done that in the past though.

Commissioner Ganley: It doesn't make any difference whether we have done it in the past, the difference is this; the administrative letter as presently written governs us right as of today. I specifically spoke to Salomone, Perlini, and Jachimowicz at the awards dinner, the three of them. I said, you three guys are going to have to get your act together and decide how you want this letter to read and let us know what you want. Word I get back is, they want to put it to us for guidance.

Commissioner Pane: It's our policy decision, it's not anybody else's.

Commissioner Ganley: If I may make my point, you're getting to where I am going, it's a town policy decision. All they want from us is, how do we feel about the town engaging in the digital sign process? If we say yes, you guys can do it if you want, that doesn't say to them, we are now going to allow all digital signs because this letter won't allow that and we don't have any regs to allow it. I would suggest to this Commission we send a recommendation back saying that this letter be modified and narrowed down to just public property as it is designed right today, and let them decide if they want to open the door, because we can't do by regulation, we don't have any and this prevents us from doing it, as written.

Commissioner Aieta: I know Cathy, you see where it is going with the town too, you have made comments that every school could have one.

Chairman Hall: Yeah, that's my biggest fear.

Commissioner Aieta: Yeah, that's my fear too.

Commissioner Ganley: Even if every school did, that's up to the town to decide. Even if every school did, and they said, every public building and every public piece of property that we control as a town, is going to have these digital signs, by nobody else can, that's their problem, it's not our problem.

Chairman Hall: The only saving grace is that the high school sign is a gift from one of the classes, so that is being paid for by the class. I don't see the town stepping up and paying to have these signs, that is the only thing that gives me some kind of safeguard. Because someone will have to pay for these, and they are not cheap, but it does open the way for the town, and even for Town Hall, I mean, we could have something here on Cedar Street, advertising meetings, TPZ, Wednesday night, 7:00 p.m., or whatever.

Commissioner Aieta: What about the residents that live directly across from the high school? I mean, they are living now with all the A-frame signs we know that those are basically illegal too, but what about the people who live directly across from the school?

Chairman Hall: Well, hopefully they would be timed and would go off at a reasonable hour. And certainly when school is not in session I don't see why they would have to have it, but again, that is going to be their call. If we have no regulation, we have no regulation.

Commissioner Pane: Who's call?

Chairman Hall: The one that is running it, for instance if the high school is putting up the signs, if they are computerizing it, they are going to have the control over when it goes on, what it says, and when it goes off.

Commissioner Pane: Not really because they have to be, by what we state. I mean, over the last fifteen years this Commission has given policy out to the town and to the business on how we want signage. It's come from this board. Signage has always come from this board. We make the decision on whether or not how bright it is, how big it is, what size, everything, it comes from this board. As a policy, we have to sit down, we have to make a decision on whether or not this is good for the Town of Newington or not.

Commissioner Ganley: Once again, we have to differentiate between public land and private land.

Commissioner Pane: That's fine, but this board decides that, not anybody else.

Commissioner Ganley: The significant difference here is we'll decide size, shape, etc., etc., but the town by virtue of modification of the letter will decide if they want to have digital signs. Then they will come back to us and say, you tell us what it is going to look like. But, it's not the other way around, because it is town owned land and this letter, effective today, is the governing document.

Commissioner Pane: And that came from this board, we directed the town, we.....

Chairman Hall: It came from Paul.

Commissioner Pane: Yes, and as a board we gave him insight, if the Town Planner would fill them in, I mean, we as a board said that we wanted signage like this, this, this and Paul took that information from this Committee and that's why he drafted up things like that, okay.

Ed Meehan: Let me give you some background, maybe that would help you. Before 2004 when this administrative policy was set forth, going back to 2001 as my memo reports to you, this issue of signage in the town center and on town property started with Fire Station One and their attempt to do a digital sign. It was a very plain digital sign and they came to the Commission as a matter of courtesy because it was public property exempt from zoning, and the Commission said, you are in the town center, you're a gateway site coming into the town center, can you do a brick base, can you do a colonial top, basically redesign the sign. I think it was Richard Schlabba at the time, cost it out and found that it wasn't feasible, but we went around and started to look at all the town properties, what we had. You had the library sign which is a beautiful sign, scroll top, brick base; then you have two fairly modern signs across the street, one for the senior center, one for the town hall, brick monument signs. At the time you went down to the Volunteer Ambulance has a different sign, Clem Lemire Park had a different sign, you know, Starr Park, everybody had different signs. Even our gateway signs coming in, Northeast Utilities, completely different. They looked terrible. So what the intent was, we went around to other towns, how did you do this? Well, they had a hierarchy of signs based on their location within the community and what you were trying to report. That was all given back to the Town Manager. The Town Manager as Domenic said, submitted a draft policy letter 35, to this Commission in July, what does the

Commission feel about this. The Commission said we like the hierarchy, we like the blue, the scrolls, the brick base in the town center and in that policy it says, any lighting of the sign shall be accomplished by external ground lights. The Commission said, okay, for town signs. That's been in effect for the last, what, five years. That's what Lou, the first thing that Lou highlighted when he came here. Can I do this? I said, Lou, you need to talk with the Commission and if the Commission, going back to what Tom Ganley is saying, says yes or no, then that guidance will go back to the Town Manager and if he changes this, he's changing it for all town properties, not just Newington High School. For some reason, let's say Parks and Rec wants to change Clem Lemire signs down on New Britain Avenue.....

Commissioner Aieta: Put the schedule of the baseball games, football.....

Ed Meehan: They could do that.

Commissioner Aieta: I can just see some of the Friends of Football, Soccer Moms, all of those people getting together and saying let's donate some money and do some fund raisers and we will give them the money to put those signs up.

Ed Meehan: We went through this about two months ago with the Young Farm on Church Street. We could have done your typical routed sign and stuck something up, but we had this policy to fall back on.

Commissioner Aieta: It's a nice sign.

Ed Meehan: Yeah, it cost \$1700 bucks. But it's a sign that is going on a four million dollar piece of property so why not raise the bar and do it right.

Chairman Hall: Right.

Ed Meehan: That's the argument that we made. You are giving guidance back to the Manager on this, so that is the catbird seat that you are in.

Commissioner Casasanta: I guess I'm just confused about something, just for clarification. Why would a policy memo from the town manager be quote unquote the law of the land, what about regulations and town ordinances and stuff like that? Why would a policy memo trump a regulation or an ordinance?

Ed Meehan: Well, the town Planning and Zoning Commission, I guess back in the '50's or '60's, I can't tell you the exact date, exempted itself from zoning and you can only do that by town ordinance. The Town Council back then exempted town property from zoning standards so Section 6.4 of our regulations is all our zoning standards. The town is exempt from those standards, so in lieu of that, the Town Manager, for the first time in 2004 came up with this unified policy standard for town signs to fill in the gap, because we were all over the lot up to that point.

Commissioner Casasanta: But you are saying if we were to change the regulations wouldn't that trump the policy memo?

Ed Meehan: No, because you would have to go back and change the ordinance, or not you, the Town Council adopts ordinances. The town would have to un-exempt itself from zoning and then.....

Commissioner Casasanta: Or creating new ordinances.

Ed Meehan: Yeah, to replace the one that is there, but that would put, every town building would have to come through here to get site plan review, do everything that a private sector developer would have to do. They do it now to some extent under 8-24 as a courtesy, whether it is a field house, or whatever.

Commissioner Pane: And they still follow our suggestions and we review the plans just like every other plan so even though they are technically exempt, they kind of follow our recommendations and our regulations.

Commissioner Aieta: I don't think that any time that the town came through this board, whatever board it was, and asked for input, that they didn't take the input. I don't think they have ever sidestepped the regulations in any instance.

Chairman Hall: Right, they have tried to cooperate.

Commissioner Aieta: It could be really easy, you just go back to them and say, that what was presented by the town manager in 2004 is what we would like to continue to have. Then if they want to put up a digital sign, well it's basically up to them to do it.

Commissioner Pane: As this Commission, I think we should say we should stick with what we want or don't have to stick with what we want and wouldn't recommend them doing the digital and then recommend another style, either the changeable letters or nothing, I don't know, but it's got to be a policy decision and if that happens then we need to look at the regulation and open it up for public hearing.

Commissioner Ganley: I had some suggested language the last time we had done this, okay, you've got the administrative letter, it's underlined in green, the sentence that says, any lighting of the sign shall be accomplished by, after the word accomplished in that sentence, what I wrote is, by such means as present technology will allow which is aesthetically appropriate to the public sight, as approved by TPZ. That would be the change in the sentence.

Commissioner Casasanta: Two things, one you are looking to amend the Town Manager's policy....

Commissioner Ganley: Which is exactly what he told me to do. He said, give me something, I said okay.

Commissioner Casasanta: Well, okay, but I was thinking of something a little bit more simplistic which is to say, if we like it and we want to allow the high school to move forward with it, say, you know what, you've got the green light from us to do this, now you need to change the policy statement to allow it, so the town properties can, instead of us giving him, let him figure out his own. They had no problems figuring out the language before, they can figure out the language again.

Commissioner Ganley: Well, the Town Manager and the other principal characters involved have in fact bounced it back to us so why don't we just give them something that they can chew on, because he said to me, right at the meeting, well, can you give us something?

Commissioner Lenares: Do they really want this? Those people, they really want it?

Commissioner Ganley: Well, I told them, I had the three of them standing right in front of me and I said, what do you guys want, it's really your problem. We've got this letter and you guys have

got to figure it out. So John said, can you give us something, and the other two guys went, okay and that was the conclusion of our conversation.

Commissioner Aieta: I think you have a couple of options, you could either tell them to continue with the policy that they set in 2004 or you could say, make the change that you put into the thing, those are the two options, basically yes or no, if you want to allow town buildings to have these digital signs.....

Commissioner Ganley: It doesn't say, it leaves it open because we don't know what is going to come down five years from now, rockets and bells, we don't really know. That's why I said, present technology, whatever the technology at the time is, and then it has to be approved by TPZ.

Ed Meehan: That puts you into a position where you are approving signs that are exempt from zoning.

Commissioner Ganley: Exactly, exempt from zoning.

Ed Meehan: Then you shouldn't be approving it. I would recommend that you don't put approved by TPZ.

Commissioner Ganley: Okay, cross that out.

Ed Meehan: It's a basic call, it's very personalized. Either you like digital signs and you think they're okay, or you don't like them and it's even more constricted than that, it's either what you want on your public property, what is the level of aesthetic appearance that you want for your public properties?

Chairman Hall: And once the door is open, the door is open.

Commissioner Aieta: In the past they came up with this document from 2004 that regulated the signs and we've been living with that, and we've seen improvement in the signs in the Town of Newington because of that policy. We could just fall back and say we would like to keep the policy the way that it is. I mean, you can see the changes when you come in from Wethersfield on the Berlin Turnpike, when you come in from Berlin.

Commissioner Pane: It would really be a step backwards.

Commissioner Aieta: The changes at the parks.....

Chairman Hall: What, to go with the digital?

Commissioner Pane: I think so, it would be a step backwards from what we have already designed and the improvements we've made on town signage, I think they can achieve the same thing in another method.

Commissioner Schatz: Maybe I have the other method.

Chairman Hall: What's that?

Commissioner Schatz: We got the letter from, the town manager sent that letter out, well then, that's a policy apparently, but the Council and the Mayor, all the people, the Town Manager, the only thing they can tell the Board of Education basically is how much money they can spend.

So this sign, I think, could appear on their own.

Commissioner Pane: No.

Commissioner Schatz: Why not.

Commissioner Pane: Because we recommend signs.....

Commissioner Schatz: No, no, it's got nothing to do with us.....

Commissioner Pane: It does have something to do with us, Bob, over the last, X amount of years the town government, they have listened to this board, and we have made recommendations and we've had a sign plan come up and we've been following it, we've been improving signs on our gateways and our other areas.....

Commissioner Schatz: No, I understand what you are saying, but the point that I'm making, trying to make, is that basically it's the school department deal and I'm thinking they didn't even have to come to us.

Commissioner Ganley: But they did. It's public land.

Commissioner Schatz: Okay, if it's public land, then why did the Council have to buy the old Board of Education building from the Board of Education? Three hundred and eighty thousand dollars. When I was on the board, that's what I'm asking.

Chairman Hall: Well, let's stick with the signs, because the sign is difficult enough to figure out, let along going back.

Ed Meehan: I think the reason they came here was Mr. Jachimowicz recognizes that the sign that they want to design doesn't meet this administrative policy, and through his discussions with me, he said what do you think I should do. I said, I think you should bring it to the Commission as a matter of information and courtesy and see if what you present informs the Commission, educates the Commission of another way of doing a town sign with a brick base and a colonial frame that has an electronic sign face. If the Commission likes that, by consensus, they can report that back to the Town Manager and he can change the policy as he sees fit. If you don't like it, then I think you need to let the Town Manager know that also.

Commissioner Aieta: Why don't you take a consensus vote of the Commissioners who are seated who can vote and if they want a digital sign, then you go back and say it, if they say to keep our old, what they did in 2004 as far as the sign, the sign ordinance, then.....

Chairman Hall: Can we regulate the size of the digital part? The size of the letters or if once you give them permission to do digital, it's up to them to decide how they are going to display it?

Ed Meehan: Yeah, that's correct. If you look at the guidelines, this would be a larger sign, because it is on a larger site, you are looking at basically a sign face 4 x 8, that's the sign face, and that is what they presented in their sketch. The electronic message board is about 4 x 8.....

Commissioner Aieta: That's a huge sign. You could see that for five miles.

Commissioner Pane: I would like the Town Planner to give us his opinion on this because he is our Planner and I'd like to know what he thinks on whether or not this is compromising the work

that we have done so far in the town center and other surrounding areas, and our gateways, and what his opinion is on this. I think it would be helpful to the other Commissioners. Thank you.

Ed Meehan: I'll give you my opinion, my opinion is this, I always feel that we should treat with fairness public and private property owners. That you shouldn't have double standards. That a municipality which can control what it wants much better than we can have control of private property, we can through the best design efforts that we can come up with, we can control the quality of our signs and our properties, and I think we always ought to try to raise the bar. In my opinion, I was involved with this hierarchy of signs in 2001 and 2003 with the Park and Rec Department, with the Fire Department and I had input into the colonial design. I think you ought to stick, as far as the town side, the town properties, with this colonial design. That's what my two cents is worth. I think we have a system going that is consistent throughout the town, and it, the signs are a little bit more expensive, but I think you're getting some good quality public notices.

Commissioner Pane: Thank you.

Commissioner Casasanta: Just for my own remembrance, what Lou had presented to us, that, forget the digital signage part, in the middle, the rest of the sign met that colonial standard, did it not?

Ed Meehan: Yes it did.

Chairman Hall: Yes it did and I think what we are all dealing with is this flashing.....

Commissioner Casasanta: Then basically what we ended up saying to Lou was, kind of like get our feeling as to whether or not we were okay with what he was proposing, and then basically throw it back into the Town Manager's lap to amend the policy so that the policy would reflect what they wanted to do. Am I correct in that?

Ed Meehan: I think, I have a little hand written note that I sent to Lou, zoning regulations prohibit running, flashing, rotating signs. Subject to interpretation, signs that are digital controlled via computer programming systems. We have only one commercial use, Walgreen's, that user is a digital sign. It's become a zoning problem when they change the message, or scroll their ad.

Commissioner Aieta: And part of our regulations say that the color has to be white. It can't even be what they are showing there now, it's red. It's supposed to be a white illumination, not a red illumination.

Commissioner Pruett: Just a clarification, Ed, I heard you say colonial sign, but colonial and non-digital? Is that what you are saying?

Ed Meehan: No, what the high school sign represents, the base meets the policy, the scrolling on top and the posts meet the policy, what doesn't meet the policy is that it is not externally illuminated with ground lights.

Chairman Hall: So the digital part is the part that is non-conforming.

Commissioner Aieta: And it's a rotating sign, which is not allowed in our regulations.

Chairman Hall: Right. So, I think at this point, let's try to get some kind idea, one way or the other, I don't think anybody objects to the colonial aspect of it, I think the crux of the matter is do we want one that is stable, in other words that you change the letters, I don't think, let me get this

straight. I don't think anybody objects to the fact that they are going to try to clean up all those tent signs and put it in one spot. I think that is a good idea, I think we all agree with that, correct? I think the difference of opinion is, do we want something that moves and possibly flashes because it will when it changes it will flash, or something that is stable, that gets the word out, but does not move. I think that is what our biggest disagreement is.

Commissioner Pruett: Stable, but electronic?

Chairman Hall: Well, how can it be electronic, no, no you would have to move that.

Commissioner Pruett: No, I think you're saying, it's electronic and you change it the next day, it's stable for the day, instead of going out and changing it manually, change it from his office.

Chairman Hall: But it's lit, I think that's the other thing, I think that's, it's an aesthetic thing, do we want something that looks like wording on a plain background, or are we willing to put Walgreen's on Willard Avenue. I think that's what it is going to come down to, and I don't think too many of us like Walgreen's.

Commissioner Camerota: My understanding of what you mean from being stable is that it is not digital at all.

Chairman Hall: Doesn't move, right.

Commissioner Camerota: You would go out and change the.....

Chairman Hall: It wouldn't be letters that they could change, however they are going to do it. That would go with our regulations, it's a sign that is not digitized, versus giving them permission to do the digital, I think that is what we have come down to. If we don't mind the base and the sides and the top, nor do they, it's just how they present the center part. There are some that are for it and some that, do we have to give them an answer tonight?

Ed Meehan: I think the Manager's office would like to get some guidance, one way or the other, but I don't know what the Board of Ed timing is on this.

Chairman Hall: Well, I'm sure they want to do it sooner rather than later.
How many in favor of digital? Just by a show of hands. How many in favor of non-digital?

Commissioner Pane: She's an alternate, so.....

Commissioner Camerota: I can't vote?

Chairman Hall: This is just an opinion, this is not a vote, this is just an opinion. I'd like it from everybody. How many don't want digital?

Commissioner Casasanta: So we have three digitals.

Ed Meehan: Four digitals.

Commissioner Pruett: I think a clarification is, they don't want it, I know that for a fact, they don't want a blinking, thing, running thing, they want a stable sign but they want to be able to change it without going out and manually, change it from the office, keep it stable. I think that is where the conflict is.

Commissioner Aieta: But the regulations are specific of what it says, non-flashing, non-rotating, has to be externally lit and has to be white not red.....

Chairman Hall: I wonder if there is a way that they could do a white background with black letters on it that they could still computerize? Have them look into that, because I think our biggest objection is a black background.....

Commissioner Pane: But then it's internally lit. It has to be externally lit.

Commissioner Kornichuk: It still doesn't meet the requirements. The town signs are blue in the middle.

Ed Meehan: The big issue is the internal lighting. Whether it's digital, just a plain internal lighting that says Newington High School, versus the policy that says, external ground lighting.

Commissioner Lenares: I said this to Lou when he was here before, just a couple of points, and I appreciate Ed's opinion, because it is a pretty tough one to give, I mean, considering the board has to approve it, not approve it, go back to them with a consensus, whatever you want to call it, but I said to Lou that there are many times during the year, fall and spring, mostly that there are many events going on at the high school. You are not going to fit everything in one day on that sign. You've got five, six events going on between different sports, boys and girls, a play, or whatever is going on, and it's going to have to change. They might not tell you that, it will change. You've got boys soccer, girls soccer, football, track, a meeting, a play, there's no way that that sign will not change.

Commissioner Aieta: That's why there are twenty angled signs up there.

Commissioner Lenares: Right, that's why there is a bunch of them. My other point is the fact that you are going against what the regulations say, when Ed mentioned the double standard concerning the business owner and the town property, that's a huge double standard, and that's like, I don't want to call it unethical but it's just like, it's a double standard. What's not good for one is not good for all.

Commissioner Aieta: And maybe we should, at another meeting, address this Walgreen's thing, once and for all and tell them exactly what this Commission wants to the point where we send the zoning officer and say, this is what you have to live by, and if they don't then we turn it over to the Town Attorney and let him work it out. They are just blatantly going against what was approved. Maybe that is how we control that, maybe, it's only supposed to be time and temperature, that's what we allow for like banks in our regulations. Time and temperature, which they have on there, and then they have coke and whatever.

Chairman Hall: Okay. I think we are all sort of on the same page in the sense that we want whatever is out there for signage to look good, I also think we are on the same page that we don't want to come across as being inconsistent. The problem is, if you let one group, as much as you want to cater to them, do something different, then everyone else does, it creates a whole new set of problems and I think that is what we're trying to avoid. You don't want to say no to the schools, and you don't want to say no to the kids that have gotten money together to create this gift, they can still gift a sign, it's just our pleasure appears to be that it will not be a digital sign. Not unanimous, but that appears to be the pleasure of the Commission.

Commissioner Pane: Maybe we could recommend something like the St. Mary's sign, with external lighting, changeable.

Chairman Hall: Not digital.

XI. STAFF REPORT

A. Bond Reduction, 171 Pascone Place, McBride properties.

Ed Meehan: I'll give you a little background. The balance of work to be done is landscape plantings, clean some small areas up, this is the K of C site, Matson Uniforms on Pascone Place. Minimal landscape areas, some shrubs to plant and certification from the project engineer on the storm water drainage. I did talk to the property owner and there are some areas that they may actually spend a little bit more money instead of doing just loam and seed, they are talking about possibly hoping to put down weed barriers and landscape stone where it's going to be hard to maintain the grass anyway, it's right up against the building and they are looking at pricing the landscape stone. Anyway, it's a five thousand dollar retainer until they finish that work.

Commissioner Aieta: Can all of this work be done where we could get it done and release the whole thing instead of holding the five thousand? Did they give you a time period when they were going to do it?

Ed Meehan: I think they are looking to get this much released so they can take care of the paving contractor on the, people who did the underground work. They're not sure where they are with the landscape planting right now. The landscape plantings probably can be done in a couple of days, there's not a lot of work.

Chairman Hall: It's got to be a certain time of year though, they can't do it in the middle of July.

Ed Meehan: Yeah, they are running out of time.

Chairman Hall: Unless they just put down stone, stone doesn't die. So do we have to vote on this?

Ed Meehan: There is a draft motion which if you look at it, then I can report it to the Town Manager's office and they can take care of the paper work on the bond.

Bond Reduction
171 Pascone Place

Commissioner Kornichuk moved that the performance bond for 171 Pascone Place, site improvements, in the amount of \$34,000 be reduced by \$29,000 to \$5,000. This \$5,000 balance shall be held until landscape planting and project engineer's storm water certification are completed.

The motion was seconded by Commissioner Ganley. The vote was unanimously in favor of the motion, with seven voting YES.

Chairman Hall: I think we have covered everything on the agenda, so I will.....

Commissioner Pane: I have a few comments and a couple of things I didn't finish under Remarks by Commissioners. Ed, the Church Street, Kelsey Street is being proposed for re-pavement, have they, I don't think that they have taken care of the changes in that light.

Ed Meehan: The loop detectors are going to be replaced when they do the street improvements.

Commissioner Pane: Okay. They are going to move them back?

Ed Meehan: The west bound detectors.

Commissioner Pane: On Pane Road?

Ed Meehan: On Pane Road.

Commissioner Pane: Because there is that problem where there is extensive traffic and then I would assume that when they line paint, they will paint the lines back farther and the loop detection for turning left down toward Berlin on Church would be extended farther down?

Ed Meehan: Right. Actually the loop detectors are shut off right now. They're just manual.

Commissioner Pane: I'll make this fast. The island at Budney Road hasn't had any maintenance all year, it's two feet, the grass is two feet high on that island. If we could look into that? I want to comment on that 8-24 last meeting. I was glad to see that was approved. I just have a couple of quick comments for the Town Planner. Do you think you could, I noticed that when you pull in from Market Square that you have the island right in the middle there. I just have to wonder whether or not we are throwing off the traffic flow and whether or not that island should be pushed one way or the other a little bit, because now when you come in, you have to travel in between the parking aisles to get to that far side, like Eddy's area. So I'm just wondering whether or not we should look at that. Then, on that aisle, I was wondering whether or not as a Town, maybe you should look into more of a less maintenance items in there, for instance, maybe some synthetic grass instead of turf, you know, might be less maintenance, would look beautiful for the town, just some comments, but I'm glad to see that it was approved.

House on 171 Hartford Avenue, grass is two feet tall, and the house was taken apart or something. One house before 171 Hartford Avenue, the whole, the siding and the instillation, it's down to the studs, all the way around the house.

Ed Meehan: Is it occupied?

Commissioner Pane: It doesn't look occupied, but there is a problem there.

Commissioner Kornichuk: That's the one where they took down all the pine trees?

Commissioner Pane: No.

Commissioner Schatz: No, go down Hartford Avenue, on the right hand side, just past Thomas, no past Frank.

Commissioner Pane: On the bond money, do you think we could get a list of the old and the new bond money that is outstanding? Years ago, we used to get a list from you Ed, what is outstanding and what's there and what's been done, what's not been done, that would be helpful. I think the last comment would be on Main Street, as you enter from the Berlin Turnpike, there are some residential houses there on the right hand side as you are heading towards the center of town. They have been throwing grass and brush on the town property there. Maybe we could clean that up and talk to them, the dump is right across the street.

Ed Meehan: Oh, Hopkins Village.

Commissioner Pane: Yeah, and you know, that area, I know that Curt Ambler always wanted to maybe we could spruce it up a little bit, it's almost like a gateway coming from the turnpike there,

entering into our town, and it's not really pleasing to see the thrown grass and brush right there. Even sometimes right next to the dump it piles up sometimes people just dump it there when the dump is not open so if we could just give that area a little bit of attention I think it would be nice for the town. That's it, I appreciate your time. Thank you.

Chairman Hall: Thank you. Any other comments at this point?

XII. ADJOURNMENT

Commissioner Pruett moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary